



Entered on Docket
December 10, 2010

ORDER DENIED

See court's abbreviated reasoning below.

Bess A. Maud

**Hon. Bruce A. Markell
United States Bankruptcy Judge**

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

Case No. 10-32968-ham

SOUTH EDGE, LLC,

Chapter 11

Involuntary Debtor.

Order Granting Ex Parte Motion to File Confidential Materials Regarding Involuntary Petition Under Seal

The Ex Parte Motion of JPMorgan Chase Bank, N.A. (“JPMorgan”), petitioning creditor, to File Confidential Materials Regarding Involuntary Petition Under Seal came before the Court for consideration. Good cause appearing, it is hereby:

1 ORDERED that JPMorgan has permission to file the unredacted Debt Trade
2 Documents under seal.

3 IT IS FURTHER ORDERED that these documents shall remain confidential and be
4 accessible only to the Court, unless a party in interest petitions the Court for access to the
5 documents and provides good cause why access should be granted to that party.

6 IT IS FURTHER ORDERED that any party obtaining access to these documents
7 shall maintain their confidentiality.

8 **Submitted by:**
9 **LEWIS AND ROCA LLP**

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34 JPMorgan Chase Bank, N.A.
35 ("JPMorgan") filed its Ex Parte Motion to
36 File Confidential Materials Regarding
37 Involuntary Petition Under Seal on
38 December 9, 2010, Dkt. No. 5. No
39 supporting declarations were filed with the
40 motion, notwithstanding JPMorgan's
41 lawyers' contention that the matters sought
42 to be sealed were both "confidential" and
43 "commercial." Without any evidentiary
44 foundation as to the essential elements of
45 its request under Bankr. R. 9018 and 11 U.
46 S.C. § 107, the court cannot grant the
47 motion.

48 The deficiency, however, at least as to the
49 provision of evidence, can be easily cured.
50 Accordingly, pursuant to Local Rule 9018,
51 and to allow JPMorgan to file an amended
52 ex parte motion, the court will hold the
53 documents already delivered to chambers,
54 and will not file them on the docket or
55 deliver them back to JPMorgan, until
56 Tuesday, December 14, 2010, at 4:00 p.m.

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